

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application

Inventor(s): WEHRUNG, et al.

SC/Serial No.: to be assigned

Confirm. No.: to be assigned

Filed: to be assigned

Title: Distributed Control System
Architecture and Method for a
Material Transport System


PATENT APPLICATION

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
UNDER 37 C.F.R. §1.10

"Express Mail" mailing label number: EV 328492657 US

Date of Mailing: November 21, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service, utilizing the "Express Mail Post Office to Addressee" service addressed to Box PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313 and mailed on the above Date of Mailing with the above "Express Mail" mailing label number.

 (Signature)
Seta Manoukian
Signature Date: November 21, 2003

CONTINUATION APPLICATION TRANSMITTAL LETTER
UNDER 37 C.F.R. §1.53(b)(1)

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Dear Sir:

Transmitted herewith for filing as a ✓ continuation divisional application under the continuing application procedure of 37 C.F.R. §1.53(b)(1) is a patent application identified as follows:

Title: Distributed Control System Architecture and Method for a Material Transport System

Inventor(s): WEHRUNG, et al.

No. of Pages in Specification: 118, No. of Claims: 29.

No. of Sheets of Drawings: 50; Formal: ✓ or Informal: .

Attorney Docket No
Express Mail No.: EV 328492657 US

Identification of Prior Complete Application

SC/Serial No.:09/825,619

Art Unit: 3627

Filed: May 3, 2001

Examiner: John F. Bartuska

Title: Distributed Control System Architecture and method for a Material Transport System

Inventor(s): Wehrung, et al.

Delete the Following Inventor(s) for This Application: (none)

Declaration

✓

A copy of the Declaration (signed by all inventors) from the Prior Complete Application is submitted herewith.

Amendments

✓

Please CANCEL in this application original claims 2 through 29 of the prior complete application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.) However, if this instruction results in cancellation of all original claims, please instead retain the lowest numbered original claim.

✓

Please AMEND the specification by inserting before the first line of the application: "This application is a continuation of Serial No. 09/825,619, filed April 3, 2001."

A preliminary amendment is enclosed. Please enter the preliminary amendment before calculating the application filing fee. (Claims added must be consecutively numbered beginning with next number after highest number in prior complete application.)

Petition for Extension of Time to Respond

No extension of time is required for the prior complete application.

✓

Pursuant to 37 C.F.R. §1.136(a), enclosed is a petition for an extension of time for the prior complete application, up to and including today, for responding to the Office action together with the fee set by 37 C.F.R. §1.17.

Power of Attorney

✓

A power of attorney appears in the prior complete application.

A new power of attorney is submitted herewith.

Attorney Docket No.:

Express Mail No.: EV328492657 US

Assignment

✓

The prior application is assigned of record to: Asyst Technologies, Inc.

An assignment of the invention to: _____ is submitted herewith, together with an ASSIGNMENT RECORDATION FORM COVER SHEET and recordal fee of \$40.00.

Claim of Priority

Priority of foreign application Serial No. _____, filed on _____, in _____ is claimed under 35 U.S.C. §1.119.

The certified copy was filed in prior U.S. application Serial No. _____, filed _____.

Small Entity Statement

Statement(s) claiming small entity status is (are) submitted herewith.

Statement(s) claiming small entity status was (were) filed in the parent application Serial No. _____, on _____ and its benefit under 37 C.F.R. §1.28(a) is hereby claimed.

Also Enclosed Are:

✓

An Information Disclosure Statement under 37 C.F.R. §1.56.

Filing Fee

The continuation patent application filing fee is calculated as shown below:

No. Filed	No. Extra	Rate Small Entity/ Other Than Small Entity	
Basic Fee		\$370.00 \$770.00	= \$770.00
Total Claims <u>1</u>	** - 20 = <u>0</u>	\$ 9.00 \$ 18.00	= \$0.00
Independent Claims <u>1</u>	** - 3 = <u>0</u>	\$ 42.00 \$ 84.00	= \$0.00
First Presentation of Multiple Dependent Claim(s) <u>0</u>		\$140.00 \$280.00	= \$0.00

Total PATENT APPLICATION FILING FEE: \$770.00

* If the difference is less than zero, enter "0".

** Count claims after any amendment.

Method of Payment of Fees

The total fee associated with this communication is calculated as follows:

Patent application filing fee \$770.00

Net fee for extension of
time \$0.00

(See attached petition)

Assignment recordal fee \$0.00

(See attached cover
sheet)

TOTAL FEE DUE: \$770.00

☐ A check in the amount of the TOTAL FEE DUE is enclosed.

☒ The Commissioner is hereby authorized to charge underpayment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0639. A duplicate copy of this CONTINUATION APPLICATION TRANSMITTAL LETTER UNDER 37 C.F.R. §1.53(b)(1) form is enclosed.

Attorney Docket No.:

Express Mail No.: EV328492657 US

Correspondence Address

All correspondence should be addressed as follows:

Scott D. Sanford, Esq.
O'MELVENY & MYERS LLP
Embarcadero Center West
275 Battery Street
San Francisco, California 94111-3305
Telephone (415) 984-8700

Direct all telephone calls to the undersigned attorney at (415) 984-8915 .

Respectfully submitted,

O'MELVENY & MYERS LLP

Date: November 21, 2003

By: 

Scott D. Sanford
Reg. No. 51,170

O'MELVENY & MYERS LLP
Embarcadero Center West
275 Battery Street
San Francisco, California 94111-3305
Telephone (415) 984-8700
Facsimile (415) 984-8701
Email ssanford@omm.com

Attorney Docket No.:
Express Mail No.: EV328492657 US

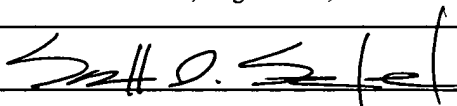
Please type a plus sign (+) inside this box → ☐

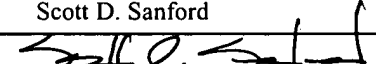
PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	to be assigned
	Filing Date	to be assigned
	First Named Inventor	Brian Wehrung
	Group Art Unit	Unknown
	Examiner Name	Unknown
Total Number of Pages in This Submission	Attorney Docket Number	34741-tba

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input checked="" type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Continuation Application Transmittal Letter; Calculation Sheet in Duplicates, Change of POA, Return Post Card
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Scott D. Sanford, Reg. No. 51,170 - O'Melveny & Myers LLP
Signature	
Date	November 21, 2003

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: November 21, 2003			
Typed or printed name	Scott D. Sanford		
Signature		Date	November 21, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.